

**Order 2003-3-6**

**Served: March 10, 2003**



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the **10<sup>th</sup> day of March 2003**

Application of

**AMERICAN TRANS AIR, INC.**

for reissuance of its certificates of public  
convenience and necessity and exemption  
authority

**Docket OST-03-14590**

**ORDER REISSUING CERTIFICATES**

American Trans Air, Inc. (ATA) holds certificate authority to provide interstate scheduled air transportation of persons, property and mail.<sup>1</sup> It also holds certificate authority to provide interstate and foreign charter air transportation.<sup>2</sup> The carrier also possesses certificate and exemption authority to provide scheduled foreign air transportation between points in the United States and various foreign points.<sup>3</sup>

On February 25, 2003, ATA filed an application to reissue its certificate and exemption authority in the name of "ATA Airlines, Inc. d/b/a ATA." The change in corporate name will be accomplished by an amendment to its articles of incorporation upon approval of the application at hand. The carrier states that this is a change in name only and does not constitute a change in operations, substantial or otherwise. Although the carrier intends to change its corporate name, it anticipates that it will continue to trade as "American Trans Air" for an undefined period of time while it completes the transition to its new name. Thus, the carrier also seeks authority to use the trade name American Trans Air.

Part 215 of the Department's regulations provides that any carrier wishing to change its name must first register that name with the Department. The rule further states that the Department may

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<sup>1</sup> ATA's interstate scheduled certificate was issued originally by Order 85-6-7, June 5, 1985. It was reissued by Order 98-7-6, July 8, 1998.

<sup>2</sup> ATA's interstate and foreign charter certificates were issued by Orders 81-1-156 and 81-3-25, January 30, 1981.

<sup>3</sup> ATA's foreign certificate authority includes the following: Order 98-4-3, March 17, 1998, from the U.S. to various Caribbean points; Order 99-3-27, February 22, 1999, from New York to Shannon and Dublin, Ireland; and Order 2000-5-31, March 29, 2000, Indianapolis to Cancun. ATA holds the following exemptions: Los Angeles to Cancun, Chicago to Guadalajara, Chicago to Grand Cayman, Chicago to Cancun, Chicago to Puerto Vallarta, and Chicago to Costa Rica.

register such name after the carrier gives notification to similarly named carriers of the proposed use of the name. In this case, there are no similarly named carriers.

By this order, we reissue the interstate scheduled certificate held by ATA to reflect the change in corporate name. In doing so, we have decided not to reissue the interstate and foreign charter certificates issued to the carrier by Orders 81-1-156 and 81-3-25. Instead, we will cancel these certificates. By virtue of holding its scheduled authority, ATA is authorized under 49 U.S.C. 41109(a)(5) and section 212.1 of our rules to conduct worldwide charter operations. Thus, the charter authority contained in the charter certificates issued earlier is redundant.

**ACCORDINGLY**, Pursuant to authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We reissue the certificate issued to American Trans Air, Inc., by Order 98-7-6 to “ATA Airlines, Inc. d/b/a ATA” in the form attached.<sup>4</sup>
2. We authorize ATA Airlines, Inc., to use “American Trans Air” as a trade name.
3. We cancel the charter certificates issued to American Trans Air, Inc., by Orders 81-1-156 and 81-3-25.
4. We will serve a copy of this order on the persons listed in Attachment A to this order.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, may file their petitions within 10 days of the service date of this order.

The action taken by this order is effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

**RANDALL D. BENNETT**

Director

Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
<http://dms.dot.gov>*

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<sup>4</sup> We consider the exemption and foreign scheduled certificate authority noted in this order to be reissued to reflect the name change.



**Certificate of Public Convenience and  
Necessity  
for  
Interstate Air Transportation**

**This Certifies That**

**ATA AIRLINES, INC.  
d/b/a ATA**

is authorized, subject to the provisions of Subtitle VII of Title 49 of United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the  
Secretary

Issued by Order 2003-3-6

Randall D. Bennett

On March 10, 2003  
Office of  
Analysis

Office of Aviation



Terms, Conditions, and  
Limitations

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**ATA AIRLINES, INC.**  
**d/b/a ATA**

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is authorized to engage in interstate air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.
- (2) The holder's authority is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all Department of Transportation and Department of Homeland Security requirements concerning security.
- (3) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).
- (4) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States

Code or the Department's regulations shall be sufficient grounds to revoke this certificate.

(5) The holder is authorized to conduct charter flights in interstate and/or foreign air transportation in accordance with the provisions of 14 CFR 212.

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\*This certificate is being reissued to reflect a change in corporate name from American Trans Air, Inc. to ATA Airlines, Inc. d/b/a ATA.

(6) The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. 41734 and all orders and regulations issued by the Department of Transportation under that section.

(7) The holder may not provide scheduled passenger air transportation to or from Dallas (Love Field), Texas, except within the limits set forth in section 29 of the International Air Transportation Competition Act of 1979, as amended by section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998.

(8) Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(1)), it must first comply with the requirements of 14 CFR 204.5.

(9) In the event that the holder ceases all operations for which it was found "fit, willing and able," its authority under this certificate shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.

## **ATTACHMENT A**

### **SERVICE LIST FOR ATA AIRLINES, INC. d/b/a ATA**

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